

**IN THE CLAIMS:**

Please replace the claims with the claims provided in the listing below wherein status, amendments, additions and cancellations are indicated.

1. - 6. (canceled)

7. (new) Method for automatically switching off power to a heating element of a deep fryer when the heating element is not immersed in oil in the deep fryer, the deep fryer comprising a vessel having a closed bottom and sides wherein the heating element extends substantially horizontally within the vessel for direct contact with the oil, the method comprising continuously measuring temperature of the heating element at at least one predetermined point on the heating element, continuously determining a derivative of the continuously measured temperature and automatically terminating power to the heating element when the derivative exceeds a predetermined threshold.

8. (new) Method according to claim 7, further comprising determining an average of a derivative in a time interval window immediately preceding a moment when it is to be determined whether the power to the heating element is

to be terminated and wherein the predetermined threshold of the derivative is a threshold of said average.

9. (new) Method according to claim 7, wherein said at least one predetermined point comprises a plurality of predetermined points, the temperature of the heating element is measured continuously at each of the predetermined points, the respective derivative of the continuously measured temperature at each of the respective predetermined points is determined and power to the heating element is automatically terminated when the respective derivative at any one of the predetermined points exceeds a respective predetermined threshold for the derivative at said one predetermined point.

10. (new) Method according to claim 7, wherein the deep fryer is configured for the deep frying of potatoes.

11. (new) A control for automatically switching off power to a heating element of a deep fryer when the heating element is not immersed in oil in the deep fryer, the deep fryer comprising a vessel having a closed bottom and sides wherein the heating element extends substantially horizontally within the vessel for direct contact with the oil, the control comprising at least one temperature

sensor for continuously measuring temperature at at least one predetermined point on the heating element, a differentiator determining a derivative of the continuously measured temperature and a comparator comparing the derivative with a predetermined threshold and terminating power to the heating element when the derivative exceeds a predetermined threshold.

12. (new) Control according to claim 11, wherein the deep fryer is configured for deep frying or potatoes.